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March 29, 2022

**VIA ECF**

Hon. William F. Kuntz, II  
United States District Judge  
United States District Court for the  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: *Tania Galarza v. SmileDirectClub, LLC, HealthCare Finance Direct, LLC, Periodontal Specialists, Inc., and Eric Guirguis, D.D.S.* Civil Action No. 1:21-cv-06958 (WFK)(JRC)

Dear Judge Kuntz:

We represent Defendants SmileDirectClub, LLC (“SDC”), HealthCare Finance Direct, LLC (“HFD”), Periodontal Specialists, Inc. (“PSI”), and Eric Guirguis, D.D.S. (“Dr. Guirguis”) (collectively “Defendants”) in the above-referenced lawsuit. We write to provide the Court with a status update, and on consent of all parties, to respectfully request that the Court “so-order” the parties’ agreed upon extension of the deadline for Defendants to move, answer, or otherwise respond to the Complaint to April 8, 2022.

As the Court may recall, Defendants removed this action from the New York Supreme Court, Kings County on December 17, 2021 (Dkt. 1). At the time, Plaintiff had not yet served Defendants. Following removal, the parties agreed that Defendants would respond to the Complaint by January 28, 2022. Defendants advised Plaintiff that they planned to file a motion to compel arbitration and/or dismiss Defendant HFD from the lawsuit (should the Court not compel arbitration against all Defendants). Shortly before the January 28 deadline, counsel for the parties began discussing the potential for early resolution and agreed to extend Defendants’ deadline to respond to the Complaint to March 29, 2022 (Dkt. 6). The Court so-ordered the extension on February 2, 2022 (Dkt. 8).

The parties are still discussing the early resolution of this case. In light of those conversations, the parties have now agreed that Defendants have until and including April 8, 2022 to answer, move, or otherwise respond to the Complaint. As before, the purpose of this brief ten-day extension is to enable the parties to continue to explore resolution of this case without further motion practice. We thank the Court for its time and attention to this matter.

Sincerely,

BENESCH, FRIEDLANDER,  
COPLAN & ARONOFF LLP

/s/ Edward C. Wipper

Edward C. Wipper

cc: James Lutfy, Esq. (via ECF)

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